

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN RE:

Ezel Moore,
Myrna L Moore,
DEBTORS.

CHAPTER 13
CASE NO. 21-49645-MLO
JUDGE MARIA L. OXHOLM

/

TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN

NOW COMES the Chapter 13 Standing Trustee, David Wm. Ruskin, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to L.B.R. 3015-3(a) (E.D.M.) as follows:

1. Santander Consumer USA, Inc., has filed a secured proof of claim in the amount of \$22,170.95 for a 2017 Cadillac ATS. The Plan does not treat the secured claim in the Plan as required by 11 U.S.C. §§ 1322 and 1325.

2. Debtor wife testified at the First Meeting of Creditors that Debtor wife receives \$526.00 per month from Debtor wife's son to make payments for the 2017 Cadillac ATS. The son's contribution is not disclosed on Schedule I. Without such information the Trustee is unable to determine whether the Plan complies with 11 U.S.C. §1325.

3. Schedule I indicates that Debtors receive income from Debtors' son. Debtors have not filed an Affidavit or Unsworn Declaration under Penalty of Perjury signed by the person providing that support or income to confirm that the person intends to continue to do so for the duration of the Plan. Without that documentation, the Plan may not be feasible as required by 11 U.S.C. §1325(a)(6).

WHEREFORE, the Chapter 13 Standing Trustee requests this Honorable Court deny confirmation of the debtors' Chapter 13 Plan unless modified to meet these objections or, in the Court's discretion, dismiss the Chapter 13 Case pursuant to 11 U.S.C. §1307(c) or provide such other relief as this Court deems appropriate.

OFFICE OF DAVID WM. RUSKIN, STANDING
CHAPTER 13 TRUSTEE

Dated: February 8, 2022

By: /s/ John P. Kapitan

DAVID Wm. RUSKIN (P26803), Trustee

LISA K. MULLEN (P55478), Staff Attorney

JOHN P. KAPITAN (P61901), Staff Attorney

1100 Travelers Tower, 26555 Evergreen Road
Southfield, MI 48076-4251

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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**

I hereby certify that on February 8, 2022, I electronically filed the Trustee's Objections to Confirmation of Chapter 13 Plan with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

JOHN A STEINBERGER & ASSOCIATES PC
17515 WEST NINE MILE RD #420
SOUTHFIELD, MI 48075-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Ezel Moore
Myrna L Moore
15400 Cruse
Detroit, MI 48227-0000

/s/ Vanessa Wild
Vanessa Wild
For the Office of David Wm. Ruskin
Chapter 13 Standing Trustee - Detroit
1100 Travelers Tower
26555 Evergreen Road
Southfield, MI 48076-4251
(248) 352-7755